

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE REPORT AND RECOMMENDA- :
TION OF JUNE 5, 1972 GRAND :
JURY CONCERNING TRANSMISSION :
OF EVIDENCE TO THE HOUSE OF :
REPRESENTATIVES :
:

Misc. No.

*Filed under seal
March 1, 1974*

REPORT AND RECOMMENDATION

The June 5, 1972 Grand Jury has heard evidence that has led it to return the indictment being submitted herewith. It has also heard evidence that it regards as having a material bearing on matters that are within the primary jurisdiction of the House of Representatives Committee on the Judiciary in its present investigation to determine whether sufficient grounds exist for the House of Representatives to exercise its constitutional power to impeach Richard M. Nixon, President of the United States. It is the belief of the Grand Jury that it should presently defer to the House of Representatives and allow the House to determine what action may be warranted at this time by this evidence.

It is the Grand Jury's strong and unanimous recommendation to the Court, therefore, that the evidence referred to above be transmitted forthwith to the House Judiciary Committee for such use as it considers appropriate, with the further recommendation that the Committee be advised of the Grand Jury's belief that this evidence should be received, considered, and utilized with due regard for avoiding any unnecessary interference with the ability of the Court to conduct fair trials of persons under criminal indictment.

The Grand Jury has compiled the evidence it recommends be transmitted to the House Judiciary Committee and it has instructed the Foreman to submit this evidence to the Court under seal for the Court's consideration.

Respectfully submitted.

Foreman, June 5, 1972 Grand Jury

MATERIAL IN THE GRAND JURY'S POSSESSION
HAVING A MATERIAL BEARING ON MATTERS
WITHIN THE PRIMARY JURISDICTION OF THE
UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON THE JUDICIARY RELATING
TO QUESTIONS OF IMPEACHMENT

- I. MATERIAL BEARING ON A \$75,000 PAYMENT
TO E. HOWARD HUNT AND RELATED EVENTS.
- II. MATERIAL BEARING ON THE PRESIDENT'S
"INVESTIGATION."
- III. MATERIAL BEARING ON EVENTS UP TO AND
INCLUDING MARCH 17, 1973.
- IV. THE PRESIDENT'S PUBLIC STATEMENTS AND
MATERIAL BEFORE THE GRAND JURY RELATED
THERE TO.

I. MATERIAL BEARING ON A \$75,000 PAYMENT
TO E. HOWARD HUNT AND RELATED EVENTS.

1. On or about March 16, 1973, E. Howard Hunt had a meeting with Paul O'Brien during which Hunt demanded approximately \$120,000 and asked O'Brien to tell John Dean that Hunt had done some "seamy things" for the White House and for John Ehrlichman and that, if Hunt were not paid soon, Hunt would have to "review his options."
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- 1.1 Grand Jury Testimony of Paul O'Brien, January 24, 1974, pp. 27-30.
- 1.2 Grand Jury Testimony of E. Howard Hunt, July 17, 1973, pp. 87-95.
- 1.3 Grand Jury Testimony of E. Howard Hunt, January 29, 1974, pp. 63-71.

2. On or about March 19, 1973, Paul O'Brien had a conversation with John Dean during which O'Brien related Hunt's message to Dean.
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- 2.1 Grand Jury Testimony of John Dean, February 14, 1974, pp. 13-14.
- 2.2 Copy of U.S. Secret Service White House Appointment Record, March 19, 1973, 5:20 p.m., for Paul O'Brien.
Item 1.1, p. 30.

3. On or about March 19, 1973, John Dean had a conversation with John Ehrlichman in which Dean told Ehrlichman of Hunt's message and in which Ehrlichman asked Dean to relay the message to John Mitchell.
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- 3.1 Grand Jury Testimony of John Ehrlichman, September 13, 1973, pp. 2-6.
- 3.2 Grand Jury Testimony of Egil Krogh, January 29, 1974, pp. 5-10.
Item 2.1, p. 14.

4. On or about March 20, John Dean had a conversation with John Mitchell concerning Hunt's message.
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4.1 Grand Jury Testimony of John Dean, February 14, 1974, pp. 14-16.

Item 5.1, tape recording and transcript of a meeting on the morning of March 21, 1973, Tr. 27, 65-66.

5. From approximately 10:15 a.m. to approximately noon on March 21, 1973, the President had a meeting with John Dean, the latter part of which was also attended by H. R. Haldeman, during which there was discussion of (a) the involvement and possible involvement of Haldeman, Dean, John Ehrlichman, John Mitchell, Jeb Magruder, Gordon Strachan, Fred LaRue, Herbert Porter, Egil Krogh, Herbert Kalmbach, and others in obstruction of justice and perjury, (b) the fact that E. Howard Hunt was demanding \$120,000 and might disclose the "seamy things" Hunt had done for Ehrlichman, as well as other matters, (c) the amount of money that would ultimately be required to keep Hunt and the other Watergate defendants silent, how delivery of such money could be accomplished, and by whom, (d) the fact that Hunt and others expected help with respect to the length of time they would spend in jail, (e) the likelihood that facts respecting the involvement of those listed above and others might become publicly known, (f) whether to pay Hunt in order to "buy time," and (g) possible courses of action that might be taken with respect to all of the above matters.
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- 5.1 Tape recording of a meeting on the morning of March 21, 1973, between the President and John Dean, during which H. R. Haldeman was present for a part of the meeting, and transcript thereof.

5. (cont.)

- 5.2 Dictabelt recording of the President's recollections of March 21, 1973, and transcript thereof.

Item 28.1, tape recording and transcript of June 4, 1973, Tr. 6.

Item 23.1, tape recording and transcript of a meeting on April 16, 1973, Tr. 13-14.

6. At or about 12:30 p.m. on March 21, 1973, H. R. Haldeman had a telephone conversation with John Mitchell.
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- 6.1 H. R. Haldeman's telephone log for March 21, 1973, furnished by White House counsel to the FBI, February 13, 1974.
- 6.2 Grand Jury Testimony of H. R. Haldeman, January 30, 1974, pp. 4-16.
- Item 4.1, Grand Jury Testimony of John Dean, February 14, 1974, p. 16.

7. In or about the early afternoon of March 21, 1973, John Mitchell had a telephone conversation with Fred LaRue during which Mitchell authorized LaRue to pay approximately \$75,000 to E. Howard Hunt.
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- 7.1 Grand Jury Testimony of Fred LaRue, February 13, 1974, pp. 7-10A.

8. At or about 3:45 p.m. on March 21, 1973, H. R. Haldeman met with John Ehrlichman and John Dean, during which meeting there was a discussion of the possible courses of action to be taken with respect to the matters discussed by the President, Haldeman, and Dean that morning.
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8.1 Grand Jury Testimony of John Dean, February 14, 1974, p. 17.

8.2 Meeting logs of H. R. Haldeman, March 21, 1973.

8.3 Meeting logs of John Ehrlichman, March 21, 1973.

Item 9.1, tape recording and transcript of the later meeting on the afternoon of March 21, 1973, between the President, Dean, Haldeman, and Ehrlichman, Tr. 1-2.

9. From approximately 5:20 p.m. to approximately 6:00 p.m. on March 21, 1973, the President met with John Dean, H. R. Haldeman, and John Ehrlichman, at the outset of which meeting several possible courses of action, i.e., testimony before a new Grand Jury or before an independent panel established to investigate all the facts, were rejected and during which meeting there was further discussion of Hunt's demand and of the possible remaining courses of action open that might be taken with respect to the matters discussed that morning by the President, Haldeman, and Dean.
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- 9.1 Tape recording of a meeting on the afternoon of March 21, 1973, between the President, H. R. Haldeman, John Ehrlichman, and John Dean, and transcript thereof.

Item 5.2, dictabelt recording and transcript of March 21, 1973.

10. On the late evening of March 21, 1973, Fred LaRue caused \$75,000 in cash funds for E. Howard Hunt to be placed in the mailbox at the residence of Hunt's attorney, William O. Bittman.
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- 10.1 Grand Jury Testimony of Fred LaRue, February 13, 1974, pp. 2-6.
- 10.2 Grand Jury Testimony of Manyon Millican, February 13, 1974, passim.
- 10.3 Grand Jury Testimony of Sherman Unger, February 19, 1974, passim.
- 10.4 Grand Jury Exhibits SU-1 through SU-7, February 19, 1974.
- 10.5 Grand Jury Testimony of William O. Bittman, August 3, 1973, pp. 189-191, 194-196.
- 10.6 Grand Jury Testimony of E. Howard Hunt, July 17, 1973, pp. 95, 111-112.

11. On the morning of March 22, 1973, John Mitchell attended a meeting with H. R. Haldeman, John D. Ehrlichman, and John Dean, during which Mitchell stated that Hunt was no longer a problem.
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- 11.1 Grand Jury Testimony of John Dean, February 14, 1974, pp. 17-18.
 - 11.2 Grand Jury Testimony of H. R. Haldeman, January 30, 1974, pp. 36-38.
 - 11.3 Grand Jury Testimony of John Ehrlichman, September 13, 1973, pp. 67-73.
- Item 9.1, Tr. 4.

12. On the afternoon of March 22, 1973, the President met with John Mitchell, H. R. Haldeman, John Ehrlichman, and John Dean during which meeting there was discussion of a possible course of action that might be taken with respect to the matters discussed on the morning of March 21, 1973, namely, preparation by Dean of a written "report" -- stating that high White House officials were not involved in the Watergate break-in -- on which the President could at a later time "rely," if necessary.
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12.1 Tape recording of a meeting on the afternoon of March 22, 1973, between the President, John Mitchell, H. R. Haldeman, John Ehrlichman, and John Dean, and transcript thereof, Tr. 16-18, 32.

12.2 H. R. Haldeman's notes of the meeting referred to in Item 12.1.

Item 9.1, tape recording and transcript of a meeting on the afternoon of March 21, 1973, Tr. 8-9, 14, 19-20, 22.

13. On or about the afternoon of March 22, 1973, John Ehrlichman had a conversation with Egil Krogh in which Ehrlichman stated that Krogh should "hang tough" and that Hunt was "more stable" and would not "disclose all."
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- 13.1 Grand Jury Testimony of Egil Krogh, January 29, 1974, pp. 10-11.

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14.1

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II. MATERIAL BEARING ON THE PRESIDENT'S
"INVESTIGATION."

15. On March 26, 1973, Ronald Ziegler was instructed by the President to express the President's confidence in his counsel, John Dean, and Ziegler announced publicly that the President had "absolute and total" confidence in Dean.
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- 15.1 Grand Jury Testimony of Ronald Ziegler,
February 12, 1974, pp. 62-65.
- 15.2 Copies of AP and UPI wire clips for March 26, 1973.

16. On or about March 27, 1973, the President instructed John Ehrlichman to contact Richard Kleindienst; on or about March 28, 1973, Ehrlichman had a telephone conversation with Kleindienst in which Ehrlichman told Kleindienst that the President's "best information" was that no one in the White House had "prior knowledge" of the Watergate break-in, but that serious questions were being raised about John Mitchell, and the President wished to have Kleindienst communicate privately with the President if Kleindienst obtained any information concerning Mitchell.

16.1 Dictabelt recording of a telephone conversation between John Ehrlichman and Richard Kleindienst on or about March 28, 1973, and transcript thereof.

Item 44.3, President's public statement of August 15, 1973, p. 2.

17. On or about March 30, 1973, the President instructed John Ehrlichman to "step into what Dean has been doing," to advise the President about Executive Privilege and attorney-client privilege, and to "set . . . strategy with regard to testifying at the Committee and the Grand Jury and these other places and I need to know where the truth lies in this thing."

17.1 Senate Select Committee Testimony of John Ehrlichman, July 27, 1973, Daily Tr. 5724.

Item 44.3, President's public statement of August 15, 1973, p. 2.

18. On March 30, 1973, Ronald Ziegler reiterated in a public statement that "no one in the White House had any involvement" in Watergate.
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18.1 . Grand Jury Testimony of Ronald Ziegler, February 12, 1974, pp. 71-72.

18.2 Transcript of White House press briefing, March 30, 1973 (#1704, p. 708).

19. On Sunday, April 15, 1973, Richard Kleindienst and Henry Petersen had a meeting with the President at their request and advised the President of information in possession of the prosecutors obtained in part from the cooperation of John Dean and Jeb Magruder; Kleindienst and Petersen urged the President to fire Haldeman and Ehrlichman immediately because of their implication in the Watergate matter.

19.1 Grand Jury Testimony of Henry Petersen, February 5, 1974, pp. 2-12, and August 23, 1973, pp. 68-72.

19.2 Excerpt from a transcribed interview with Henry Petersen, May 29, 1973, pp. 29-30.

19.3 President's notes of meetings on April 15, 1973, with Kleindienst, Petersen, and Dean.

Item 22.1, tape recording and transcript of a morning meeting on April 16, 1973, Tr. 5.

20. On the evening of April 15, 1973, the President had a meeting with John Dean (immediately preceded and followed by meetings with John Ehrlichman and H.R. Haldeman) during which meeting the President told Dean that the President had been "joking" about the million dollars and that the President had been foolish to talk with Charles Colson about clemency for E. Howard Hunt.

20.1 President's Daily Diary for April 15, 1973.

20.2 Grand Jury Testimony of John Dean, February 14, 1974, pp. 20-24.

Item 19.3, President's notes.

21. At or about 11:45 p.m. on April 15, 1973, the President had a telephone conversation with Henry Petersen.

21.1 Grand Jury Testimony of Henry Petersen, February 5, 1974, pp. 24-27.

21.2 Grand Jury Testimony of John Ehrlichman, May 3, 1973, pp. 177-179.

21.3 Grand Jury Testimony of L. Patrick Gray, July 20, 1973, pp. 113-118.

Item 20.1, President's Daily Diary for April 15, 1973.

22. On the morning of April 16, 1973, the President met with John Dean during which meeting there was discussion of (a) what the President would say publicly the next day about Watergate, (b) what Dean would testify to concerning any discussions Dean had had with the President (including Dean's discussion with the President on March 21 about Hunt's demand), and (c) the payment to Hunt.

22.1 Tape recording of a meeting on the morning of April 16, 1973, between the President and John Dean, and transcript thereof.

Item 5.1, tape recording and transcript of a morning meeting on March 21, 1973, Tr. 18-20, 23-27, 38, 40, 53-54, 65-67, 70-71.

Item 14.1, testimony of H. R. Haldeman.

Item 19.1, Henry Petersen's testimony of February 5, 1974, p. 10.

23. On the afternoon of April 16, 1973, the President met with John Dean.

23.1 Tape recording of a meeting on the afternoon of April 16, 1973, between the President and John Dean, and transcript thereof.

24. From on or about April 15, 1973, to on or about April 28, 1973, the President had numerous conversations with Henry Petersen.

- 24.1 Logs of Henry Petersen's conversations with the President.
- 24.2 Grand Jury Testimony of Henry Petersen, February 5, 1974, pp. 12-23, 29-33 and August 23, 1973, pp. 71-75.

25. During the period April 15, 1973, to April 30, 1973, the President had numerous meetings with John Ehrlichman and/or H.R. Haldeman, and also met with their attorneys.

- 25.1 Logs of H.R. Haldeman's conversations with the President.
- 25.2 Logs of John Ehrlichman's conversations with the President.
- 25.3 President's Daily Diary for April 19, 1973.

26. On or about April 18, 1973, the President had a conversation with Henry Petersen during which the President instructed Petersen not to investigate the break-in at the offices of Dr. Daniel Ellsberg's psychiatrist that occurred in September 1971.

26.1 Grand Jury Testimony of Henry Petersen, August 23, 1973, pp. 73-75.

Item 44.2, President's public statement of May 22, 1973, p. 5.

27. On or about April 25 and April 26, 1973, H. R. Haldeman, at the President's instructions, listened to one or more tape recordings of Presidential conversations including the recording of a meeting on the morning of March 21, 1973, made notes thereon, and reported to the President.
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27.1 Grand Jury Testimony of H.R. Haldeman, January 30, 1974, pp. 25-31.

27.2 H.R. Haldeman's notes of listening to Item 5.1.

28. On June 4, 1973, the President listened to a number of tape recordings and had a conversation with Alexander Haig concerning the tape of the March 21, 1973, morning meeting.

28.1 Tape recording of portions of a conversation on June 4, 1973, between the President and Alexander Haig, and transcript thereof.

28.2

III. MATERIAL BEARING ON EVENTS UP TO AND
INCLUDING MARCH 17, 1973.

29. On April 4, 1972, the President met with Messrs. H. R. Haldeman and John Mitchell, at which time certain campaign decisions made by Mitchell at Key Biscayne, Florida, on or about March 30, 1972, were reviewed; one of the decisions made at Key Biscayne was to approve a budget of approximately \$250,000 for a CRP intelligence program headed by G. Gordon Liddy.

29.1 Grand Jury Testimony of Jeb S. Magruder, May 2, 1973, pp. 22-25.

29.2 Grand Jury Testimony of Fred LaRue, April 18, 1973, pp. 7-12.

29.3 Log of H. R. Haldeman's conversations with the President, April 4, 1972.

29.4 Grand Jury Testimony of Robert Reisner, August 15, 1973, pp. 38-44.

29.5 Senate Select Committee Testimony of H. R. Haldeman, excerpt from Daily Tr. 6071-72, Grand Jury Exhibit # R5, February 26, 1974.

29.6 Grand Jury Testimony of John Dean, November 19, 1973, pp. 23-29.

Item 42.1, tape recording and transcript of a morning meeting on March 13, 1973, Tr. 40-41.

30.

[REDACTED]

H. R.

Haldeman had previously been informed that meetings had taken place in John Mitchell's office in January and February 1972 attended by Magruder, Liddy, and John Dean at which a program involving unlawful electronic surveillance had been discussed.

30.1

[REDACTED]

Item 29.6.

31. On June 20, 1972, H. R. Haldeman met with the President from approximately 11:30 a.m. to approximately 12:45 p.m. during which meeting Watergate was discussed; approximately 18 minutes of the Presidential tape recording of that meeting subpoenaed by the Grand Jury, including all of the discussion of Watergate, has been obliterated.

- 31.1 President's Daily Diary for June 20, 1972.
- 31.2 H. R. Haldeman's notes of a meeting with the President on June 20, 1972.

32. On or about June 20, 1972, the President had a telephone conversation with John Mitchell. The Presidential tape recording of this telephone conversation was subpoenaed by the Grand Jury but was not produced, with the explanation that the telephone instrument on which the conversation took place was not connected to the White House taping system.

32.1 Excerpt from a dictabelt recording of the President's recollections of June 20, 1972, and transcript thereof.
Item 31.1, President's Daily Diary for June 20, 1972.

33. On or about June 28, 1972, H. R. Haldeman and John Ehrlichman approved the use of Herbert Kalmbach to raise and distribute covert cash funds to and for the benefit of those involved in the Watergate break-in.

33.1 Grand Jury Testimony of John Dean, November 19, 1973, pp. 93, 102-103.

34. On June 30, 1972, the President had a meeting with
H. R. Haldeman and John Mitchell.

34.1 Tape recording of a portion of a meeting between
the President, H. R. Haldeman, and John Mitchell
on June 30, 1972, and transcript thereof.

35. On July 6, 1972, the President had a telephone conversation with L. Patrick Gray during which Gray warned the President that the President's top aides were "mortally wounding" him and/or were not cooperating with the FBI's investigation, and/or that "the matter of Watergate might lead higher."

35.1 Grand Jury Testimony of L. Patrick Gray, July 19, 1973, pp. 101-103.

Item 44.4, p. 2330.

Item 44.2, p. 6.

36. In or about July 1972, John Ehrlichman had a conversation with the President regarding the possibility of executive clemency for those involved in Watergate.

36.1 Grand Jury Testimony of John Ehrlichman, September 13, 1973, pp. 88-92 and 127-128.

Item 45.1, p. 2.

Item 44.3, p. 3.

37. On September 15, 1972, the President had a meeting with H. R. Haldeman and John Dean during which there was discussion of the fact that Watergate had been "kept away from the White House," the President complimented Dean for the skillful manner with which Dean had "handled" Watergate by keeping Dean's "fingers in the dike," and the President commented that "the worst may happen, but it may not; so you just try to button it up as well as you can and hope for the best."

- 37.1 Tape recording of a portion of a meeting between the President, H. R. Haldeman, and John Dean on September 15, 1972, and transcript thereof.
- 37.2 H. R. Haldeman's notes of the meeting referred to in Item 37.1.
- 37.3 H. R. Haldeman's notes of listening to the tape recording referred to in Item 37.1.

38. In or about early December 1972 and early January 1973, H. R. Haldeman approved transfer of money from a secret White House cash fund of \$350,000 to be used for payments to and for the benefit of the Watergate defendants.

38.1 Grand Jury Testimony of John Dean, November 20, 1973, pp. 34-36.

38.2 Grand Jury Testimony of H. R. Haldeman, January 30, 1974, pp. 124-126.

39. In or about late February, John Dean had a conversation with John Ehrlichman during which Dean stated that a claim of Executive Privilege with respect to Dean's possible testimony about Watergate might not be sustained because Dean had had so few meetings with the President.

39.1 Grand Jury Testimony of John Dean, February 14, 1974, pp. 7-8.

40.

[Redacted]

40.1

[Redacted]

41. On February 28, 1973, the President had a meeting with John W. Dean during which there was discussion of the Watergate matter, possible clemency for the Watergate defendants, and the role of CRP and John Mitchell in Watergate.

41.1 Tape recording of a meeting between the President and John Dean on February 28, 1973, and transcript thereof.

42. On March 13, 1973, the President had a meeting with John Dean during which there was discussion of the pre-June 17, 1972, role of Gordon Strachan in Watergate and Strachan's statements to investigators; the possible public testimony of Maurice Stans, Herbert Kalmbach, and Hugh Sloan; the pre-June 17, 1972, role of Jeb Magruder in Watergate; the status of H. R. Haldeman, the role of Mitchell and Haldeman regarding Liddy's intelligence program at CRP; and the inadvisability of making full disclosure.

42.1 Tape recording of a meeting between the President and John Dean on March 13, 1973, and transcript thereof.

43. On March 17, 1973, the President had a meeting with John Dean during which there was discussion of the involvement of Strachan and others in the Watergate matter.
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- 43.1 Grand Jury Testimony of John Dean, February 14, 1974, pp. 10-13.

IV. THE PRESIDENT'S PUBLIC STATEMENTS AND
MATERIAL BEFORE THE GRAND JURY RELATED
THERE TO.

44. On May 22, 1973, the President said in a public statement that "[n]either did I know until the time of my own investigation [March 21, 1973], of any efforts to provide [the Watergate defendants] with funds." On August 15, 1973, the President said in a public statement that he was told on March 21, 1973, that money had been raised for payments to the defendants for attorney fees and family support and not "to procure silence from the recipients."

44.1 . Accompanying Statement by the President, May 22, 1973.

44.2 Statement by the President, May 22, 1973, p. 6.

44.3 Statement by the President, August 15, 1973, p. 2.

44.4 Transcript of news conference by the President, August 22, 1973, 1973 Cong. Quarterly, August 25, 1973, p. 2334.

Item 5.1, tape recording and transcript of a meeting on the morning of March 21, 1973, Tr. 17, 18, 58, 61.

45. On May 22, 1973, the President said in a public statement that "At no time did I . . . know about any offer of Executive clemency for the Watergate defendants." On August 15, 1973, the President publicly reaffirmed that statement, adding that he had consistently maintained since July 1972 a position "that under no circumstances could executive clemency be considered for those who participated in the Watergate break-in." On November 17, 1973, the President in a publicly televised question and answer session said that while clemency "was not recommended by any member of my staff . . . it was on occasion suggested as a result of news reports that clemency might become a factor," but the President said he "turned it down whenever it was suggested."

45.1 Transcript of a question and answer session by the President with A. P. Managing Editors, November 17, 1973, New York Times clips, November 18, 1973, p. 2.

Item 44.1.

Item 44.2, p. 6.

Item 44.3, p. 3.

Item 41.1, tape recording and transcript of a meeting on February 28, 1973, Tr. 39-40.

Item 5.1, tape recording and transcript of a meeting on the morning of March 21, 1973, Tr. 19, 23, 38, 42-43, 56-57.

Item 20.2.

46. On August 15, 1973, the President said in a public statement that "Not only was I unaware of any cover-up, but . . . until March 21st, I was unaware that there was anything to cover-up." On August 22, 1973, the President said in a press conference that "when we met on Sept. 15 and again throughout our discussions in the month of March, Mr. Dean insisted there was not -- and I used [sic] his words -- a 'scintilla of evidence' indicating that anyone on the White House staff was involved in the planning of the Watergate break-in." On August 15, 1973, the President said in a public statement that on March 21, 1973, "I was told . . . for the first time that the planning of the Watergate went beyond those who had been tried and convicted, and that at least one, and possibly more, persons at the Re-Election Committee were involved."

Item 44.3, pp. 1, 2.

Item 44.4, p. 2331.

Item 34.1, tape recording and transcript of a meeting on June 30, 1972.

Item 37.1, tape recording and transcript of a meeting on September 15, 1972.

Item 41.1, tape recording and transcript of a meeting on February 28, 1973.

Item 42.1, tape recording and transcript of a meeting on March 13, 1973.

47. On August 15, 1973, the President said in a public statement that "My consistent position from the beginning has been to get out the facts about Watergate, not to cover them up." On August 22, 1973, the President said that in June 1972 he had talked with Clark MacGregor, who had assured the President that MacGregor would conduct "a thorough investigation" of possible involvement by the Committee to Re-Elect the President in the Watergate break-in. The President also said that responsibility to investigate possible White House involvement was given to John Ehrlichman, who, in turn, delegated the responsibility to John Dean. On August 29, 1972, the President said in a press conference that on the basis of "a complete investigation" by John Dean "I can say categorically that no one in the White House staff, no one in this Administration, presently employed, was involved in this very bizarre incident." On March 2, 1973, the President publicly reiterated this conclusion.

47.1 Transcript of a news conference by the President, August 29, 1972 pp. 1-2.

47.2 Transcript of news conference by the President, March 2, 1973, p. 12.

47.3

47.4

FOIA(b)(3) - Fed. R. Crim. Pro. 6(e) - Grand Jury

47. (cont.)

47.5

47.6 Grand Jury Testimony of John Dean, November 19,
1973, pp. 48-50.

Item 44.3, p. 3.

Item 44.4, pp. 2331-32.

48. On April 30, 1973, the President said in a public statement that, as a result of new information received on March 21, 1973, "I again ordered that all persons in the Government or at the Re-election Committee should cooperate fully with the FBI, the prosecutors and the Grand Jury."

48.1 Statement by the President, April 30, 1973, p. 2.

Item 5.1, tape recording and transcript of a meeting on the morning of March 21, 1973, Tr. 63.

Item 9.1, tape recording and transcript of a meeting on the afternoon of March 21, 1973, Tr. 1-2.

Item 22.1, tape recording and transcript of a meeting on the morning of April 16, 1973, Tr. 15.

49. On August 22, 1973, the President said at a press conference that at a meeting on March 22, 1973, with Messrs. Mitchell, Haldeman, Ehrlichman, and Dean, "I kept pressing for the view that I had had throughout, that we must get this story out, get the truth out, whatever and whoever it's going to hurt."

Item 44.4, pp. 2332.

Item 5.1, tape recording and transcript of a meeting on the morning of March 21, 1973.

Item 9.1, tape recording and transcript of a meeting on the afternoon of March 21, 1973.

Item 12.1, tape recording and transcript of a meeting on March 22, 1973.

Item 22.1, tape recording and transcript of a meeting on the morning of April 16, 1973.

50. On August 15, 1973, the President said in a public statement that "When I learned on March 30th that Mr. Dean had been unable to complete his report, I instructed Mr. Ehrlichman to conduct an independent inquiry and bring all the facts to me. On April 14, Mr. Ehrlichman gave me his findings, and I directed that he report them to the Attorney General immediately."

- 50.1 Grand Jury Testimony of John Ehrlichman, September 13, 1973, pp. 138-140.
- 50.2 Grand Jury Testimony of Richard Kleindienst, August 9, 1973, pp. 67-69.
Item 44.3, p. 2.

51. On April 17, 1973, the President said in a public statement that he had met on April 15, 1973, with Richard Kleindienst and Henry Petersen "to review the facts which had come to me in my investigation"

51.1 Statement by the President, April 17, 1973, p.2.

51.2 Grand Jury Testimony of Henry Petersen, August 23, 1973, pp. 68-69.

51.3 Grand Jury Testimony of Henry Petersen, February 5, 1974, p. 7.

Item 22.1, tape recording and transcript of a meeting on the morning of April 16, 1973, Tr. 6-7.

52. On August 22, 1973, the President said at a news conference, in response to the question why he did not immediately turn over information concerning criminal wrong-doing to the prosecutors in March and April 1973, that he assumed that John Dean in March was telling Henry Petersen everything that Dean was telling the President; the President implied that he assumed the same about John Ehrlichman after March 30, 1973.

Item 44.4, p. 2335.

Item 5.1, tape recording and transcript of a meeting on the morning of March 21, 1973, Tr. 37.

Item 9.1, tape recording and transcript of a meeting on the afternoon of March 21, 1973. Tr. 18-19.

53. On August 15, 1973, the President said in a public statement that the "allegations" that were made to him on March 21, 1973, "were made in general terms, . . . and they were largely unsupported by details or evidence," but that by April 15 "the fragmentary information I had been given on March 21st had been supplemented in important ways, particularly by Mr. Ehrlichman's report to me on April 14th, by the information Mr. Kleindienst and Mr. Petersen gave me on April 15th, and by independent inquiries I had been making on my own."

Item 44.3, p. 2.

Item 5.1, tape recording and transcript of a meeting on the morning of March 21, 1973.